

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

KANDANCE WELLS,

Plaintiff,

v.

CIVIL ACTION NO. 2:23-cv-00604

KANAWHA COUNTY CIRCUIT COURT, et al.,

Defendants.

ORDER

Pending before the Court is Plaintiff's application to proceed without prepayment of fees. (ECF No. 1.) By Standing Order entered in this case on September 12, 2023, this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings and a recommendation for disposition ("PF&R"). (ECF No. 3.) Magistrate Judge Tinsley filed his PF&R on May 2, 2024, recommending that this Court deny Plaintiff's application and, because Plaintiff's complaint is frivolous, dismiss this action. (ECF No. 22.)

This Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of *de novo* review. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a *de novo* review when a party "makes general

and conclusory objections that do not direct the Court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982).

Objections to the PF&R were due on May 20, 2024. Plaintiff timely filed what she purports to be objections and an accompanying memorandum in support. (ECF Nos. 23, 24.) However, even a cursory reading of those filings show that they fail to point to any supposed error in the PF&R. Indeed, these contents of these filings amount to nothing more than "disconnected, rambling, and largely incoherent" non-sense. *von Fox v. U.S. State Dep't*, No. 2:16-cv-185, 2016 WL 11409536, at *4 (D.S.C. Feb. 16, 2016). Plaintiff has thus waived her right to *de novo* review. The Court therefore **ADOPTS** the PF&R, (ECF No. 22), **OVERRULES** Plaintiff's objections, (ECF Nos. 23, 24), and **DENIES** Plaintiff's application to proceed without prepayment of fees, (ECF No. 1), and **DISMISSES** this action. The Court further **DIRECTS** the Clerk to remove this matter from the Court's docket.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: June 10, 2024



THOMAS E. JOHNSTON, CHIEF JUDGE